

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

AJIA STERLING,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:24-CV-4170-SEG-JSA
MIDLAND CREDIT MANAGEMENT	:	
LLC,	:	
	:	
Defendant.	:	

ORDER

Plaintiff Ajia Sterling, proceeding *pro se*, seeks leave to file this civil action *in forma pauperis* without prepayment of fees and costs or security therefor pursuant to 28 U.S.C. § 1915(a)(1). Plaintiff's Amended Application to Proceed in District Court without Prepaying Fees or Costs [3] indicates that Plaintiff is unable to pay the filing fee or incur the costs of this action. The requirements of 28 U.S.C. § 1915(a)(1) are thus satisfied, and Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs [1] and Amended Application [3] are **GRANTED**. This action shall proceed as any other civil action, and Plaintiff shall be allowed to proceed without prepayment of a filing fee.

SERVICE FORMS

Pursuant to 28 U.S.C. § 1915(d), officers of the court are charged with issuing and effecting service of process. Accordingly, the Clerk is **DIRECTED** to send Plaintiff the USM 285 form, summons, and the initial disclosures form. Plaintiff is **ORDERED** to complete the USM 285 form, summons, and the initial disclosures form, and to return one of each form to the Clerk of Court within **twenty-one (21) days** from the entry of this Order. Plaintiff is warned that failure to comply in a timely manner may result in the dismissal of this action. The Clerk is **DIRECTED** to resubmit this action to the undersigned if Plaintiff fails to comply.

Upon receipt of the forms by the Clerk, the Clerk is **DIRECTED** to prepare a service waiver package for Defendant. The service waiver package must include: two (2) Notices of Lawsuit and Request for Waiver of Service of Summons (prepared by the Clerk), two (2) Waiver of Service of Summons forms (prepared by the Clerk), an envelope addressed to the Clerk of Court with adequate first-class postage for use by Defendant for return of the waiver form, one (1) copy of the complaint, one (1) copy of the initial disclosures form, and one (1) copy of this Order. The Clerk shall retain the USM 285 forms and the summonses.

Upon completion of the service waiver packages, the Clerk is **DIRECTED** to complete the lower portion of the Notice of Lawsuit and Request for Waiver form and to mail a service waiver package to Defendant. A defendant has a duty to avoid

unnecessary costs of serving the summons. If Defendant fails to comply with the request for waiver of service, it must bear the costs of personal service unless good cause can be shown for failure to return the Waiver of Service form.

In the event that Defendant does not return the Waiver of Service form to the Clerk of Court within thirty-five (35) days following the date the service waiver package was mailed, the Clerk is **DIRECTED** to prepare and transmit to the U.S. Marshal's Service a service package for Defendant. The service package must include the USM 285 form, the summons, and one (1) copy of the complaint. Upon receipt of the service package, the U.S. Marshal's Service is **DIRECTED** to personally serve the Defendant. The executed waiver form or the completed USM 285 form shall be filed with the Clerk.

SERVICE OF FURTHER PLEADINGS AND DOCUMENTS

Plaintiff is **ORDERED** to serve upon Defendant or counsel for Defendant, via hand-delivery or first-class mail, a copy of every further pleading, motion, or other document that Plaintiff submits to the Clerk of Court. Plaintiff shall serve each document on Defendant or counsel for Defendant on the same day such document is filed with the Clerk of Court. Plaintiff shall include with each paper so filed a "certificate of service" stating the date on which an accurate copy of that paper was mailed or hand-delivered to Defendant or counsel for Defendant. The Court shall disregard any papers that have not been properly filed with the Clerk or that do not

include a certificate of service. Plaintiff is also **ORDERED** to keep the Court and Defendant advised of Plaintiff's current address and telephone number at all times during the pendency of this action. *See* LR 41.2B, 83.1D(3), NDGa.

IT IS SO ORDERED this 30th day of September, 2024.



JUSTIN S. ANAND
UNITED STATES MAGISTRATE JUDGE